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MAILED

MAR 14 2011

OFFICE OF PETITIONS

In re Application of :
Fabrizio DONAZZI ET AL :
Application No. 10/565,299 : DECISION ON PETITION
Filed: July 12 2006 :
Attorney Docket No. 09875.0359 :

This is a decision on the petition under 37 CFR 1.59(b), filed November 29, 2010, to expunge information from the above identified application.

The petition is **DISMISSED**.

Any further petition must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.59(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Petitioner requests that a document identified as an Oath or Declaration, filed November 29, 2010, be expunged from the record. The petition fee required under 37 CFR 1.17(g) has been received. Petitioner indicates that the filing was an inadvertent error and represents a privileged correspondence.

The petition is deficient because (1) the petition does not contain a clear statement that the information requested to be expunged was unintentionally submitted and failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, (2) the petition does not contain a commitment on the part of petitioner to retain the information to be expunged for the period of any patent with regard to which such information is submitted, and (3) a statement that the information has not otherwise been made public.


Further correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries concerning this communication should be directed to the undersigned at 571-272-0602.


Thurman K. Page
Petitions Examiner
Office of Petitions